

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

Michael West,)	
)	
Plaintiff,)	C.A. No. 5:11-2205-TMC-KDW
)	
v.)	
)	ORDER
)	
Michael J. Astrue,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

ORDER TO REMAND PURSUANT TO
SENTENCE SIX OF 42 U.S.C. § 405(g)

The defendant, Michael J. Astrue, Commissioner of Social Security, has moved this court, pursuant to sentence six of 42 U.S.C. § 405(g), for an order remanding this case to the Commissioner because the recording of the hearing before the Administrative Law Judge and the Appeals Council decision cannot be located and a transcript cannot be prepared. The defendant contacted plaintiff's counsel regarding this motion and the plaintiff does not object.

Pursuant to the power of this court to enter an order remanding this case under sentence six of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand, this court hereby

REMANDS the case to the Commissioner, pursuant to sentence six of 42 U.S.C. § 405(g), to prepare an administrative transcript of the plaintiff's administrative hearing. If the Commissioner cannot prepare the transcript within a reasonable amount of time, the Commissioner shall remand the claim to an Administrative Law Judge for a de novo

hearing.

IT IS SO ORDERED.

s/Timothy M. Cain
Timothy M. Cain
United States District Judge

Greenville, South Carolina
January 20, 2012